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OCT 04 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

Applicant: De Jong *et al.*

Serial No.: 09/815,979
Conf No. 7635

Filed: March 22, 2001

For: **METHOD FOR DELIVERING NUCLEIC ACID
MOLECULES INTO CELLS AND
ASSESSMENT THEREOF**

Art Unit: Unassigned

Examiner: Unassigned

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231, on this date.

08/24/2001
Date


Robert Wickman

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed May 11, 2001, the following documents are submitted herewith:

- 1) A copy of the Notice to File Missing Parts;
- 2) Executed Declaration for Patent Application;
- 3) Four (4) Assignments from the inventors to Chromos Molecular Systems, Inc. along with a Recordation Form Cover Sheet;
- 4) Executed Verified Statement Pursuant to 37 § C.F.R. 1.821(f);
- 5) A check in the amount of \$300 which includes the \$65 small entity surcharge, \$40 assignment recordation fee and \$195 two (2) month extension fee;
- 6) Return postcard.

U.S.S.N. 09/815,979

DEJONG et al.

RESPONSE TO NOTICE TO FILE MISSING PARTS

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Stephanie Seidman
Registration No. 33,779

Attorney Docket 24601-416

Address all correspondence to:

HELLER EHRMAN WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 6th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

E-mail: sseidman@HEWM.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DeJong *et al.*

Appln. No.: 09/815,981

Filed: March 22, 2001

For: **METHOD FOR DELIVERING NUCLEIC ACID
MOLECULES INTO CELLS AND
ASSESSMENT THEREOF**

Art Unit: 1642

Examiner: Unassigned

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Commissioner for Patents

Box Missing Parts

Washington, D.C. 20231, on this date.

09/20/2001

Date


Robert Wickman

RECEIVED

OCT 04 2001

TECH CENTER 1600/2900

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to Notice of Incomplete Reply mailed **July 20, 2001**, the following documents are submitted herewith:

- 1) A copy of the Notice of Incomplete Reply;
- 2) Copy of Supplemental Response to Missing Parts filed *July 24, 2001*;
- 3) Copy of Response to Missing Parts, filed *August 24, 2001*;
- 4) Return Postcard.

A Supplemental Response to Missing Parts was filed on July 24, 2001. This Response included a **Substitute copy of the Sequence Listing**, a **computer readable copy of the substitute Sequence Listing** and an **Amendment** in Response to Notice to File Missing Parts. Therefore, a *complete* Response to the Notice of Missing Parts was timely filed. To evidence this, a copy of the Response is included herewith.

U.S.S.N. 09/815,981

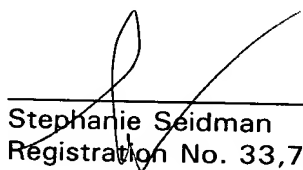
DE JONG *et al.*

RESPONSE TO NOTICE OF INCOMPLETE REPLY

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Stephanie Seidman
Registration No. 33,779

Attorney Docket 24601-416B

Address all correspondence to:

HELLER EHRMAN WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 6th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

E-mail: sseidman@HEWM.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 04 2001

TECH CENTER 1600/2900

Applicant: DeJong, et al.

Serial No.: 09/815,981

Filed: March 22, 2001

For: *METHODS FOR DELIVERING
NUCLEIC ACID MOLECULES
INTO CELLS AND ASSESSMENT
THEREOF*

Art Unit: 1642

Examiner: Unassigned

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231, on this date.

07/24/2001
Date

Kelly Fischer
Kelly Fischer

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

As a supplement to the response, filed 06/01/01, to the Notice to File Missing Parts mailed June 14, 2001, the following documents are submitted herewith:

- 1) A copy of the Notice to File Missing Parts;
- 2) A substitute copy of the Sequence Listing;
- 3) A computer readable copy of the substitute Sequence Listing;
- 4) An Amendment in Response to Notice to File Missing Parts;
- 5) Executed Verified Statement Pursuant to 37 § C.F.R. 1.821(f);
- 6) A check in the amount of \$55 for the extension of time fee.
- 7) Copy of Response to Missing Parts filed 06/01/01.

U.S.S.N. 09/815,981

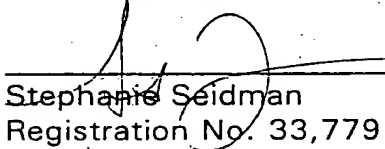
DeJong et al.

RESPONSE TO NOTICE TO FILE MISSING PARTS

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Stephanie Seidman
Registration No. 33,779

Attorney Docket 24601-416B

Address all correspondence to:

HELLER EHRMAN WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 6th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

E-mail: sseidman@HEWM.com



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/815,979	03/22/2001	de Jong	24601-416

CONFIRMATION NO. 7635

FORMALITIES LETTER



OC000000006065750

Stephanie Seidman
Heller Ehrman White & McAuliffe LLP
7th Floor
4250 Executive Square
La Jolla, CA 92037

Date Mailed: 05/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

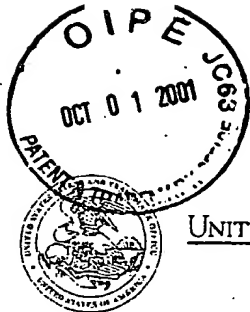
A copy of this notice MUST be returned with the reply.

Ryan

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED Page 1 of 2

OCT 04 2001

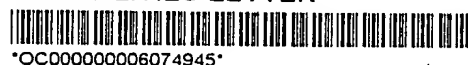
TECH CENTER 1600/2900

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/815,981	03/22/2001	de Jong	24601-416B

CONFIRMATION NO. 7622

FORMALITIES LETTER



OC00000006074945

Stephanie Seidman
Heller Ehrman White & McAuliffe LLP
4250 Executive Square, 7th Floor
La Jolla, CA 92037

Date Mailed: 05/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

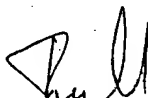
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/815,981	03/22/2001	Gary DeJong	24601-416B

CONFIRMATION NO. 7622

FORMALITIES LETTER



OC000000006321709

STEPHANIE L. SEIDMAN, ESQ.
Heller Ehrman White & McAuliffe
6th Fl.
4350 La Jolla Village Drive
San Diego, CA 92122-1246

Date Mailed: 07/20/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

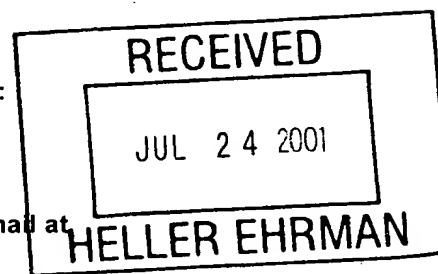
The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov



A copy of this notice MUST be returned with the reply.

Ngan

Customer Service Center
Initial Patent Examination Division

(703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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TECH CENTER 1600/2000

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED HERETO
WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING SENT VIA FIRST CLASS
(PRIORITY) MAIL ON JUNE 1, 2001:

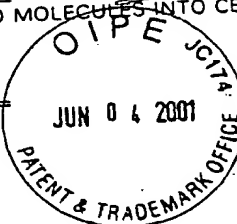
CLIENT #: 24601-416B SLS:lm
ENCLOSURES: TRANSMITTAL LETTER (in duplicate); COPY OF NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION; ONE (1) EXECUTED
DECLARATION FOR PATENT APPLICATION; TWO (2) EXECUTED
ASSIGNMENT FROM THE INVENTORS TO CHROMOS MOLECULAR
SYSTEMS, INC. AND RECORDATION FORM COVER SHEET; A CHECK IN
THE AMOUNT OF \$105.00; and RETURN POSTCARD.
APPLICANT: DE JONG ET AL.
APP. NO.: 09/815,981 FILED: MARCH 22, 2001
FOR: METHODS FOR DELIVERING NUCLEIC ACID MOLECULES INTO CELLS AND
ASSESSMENT THEREOF.

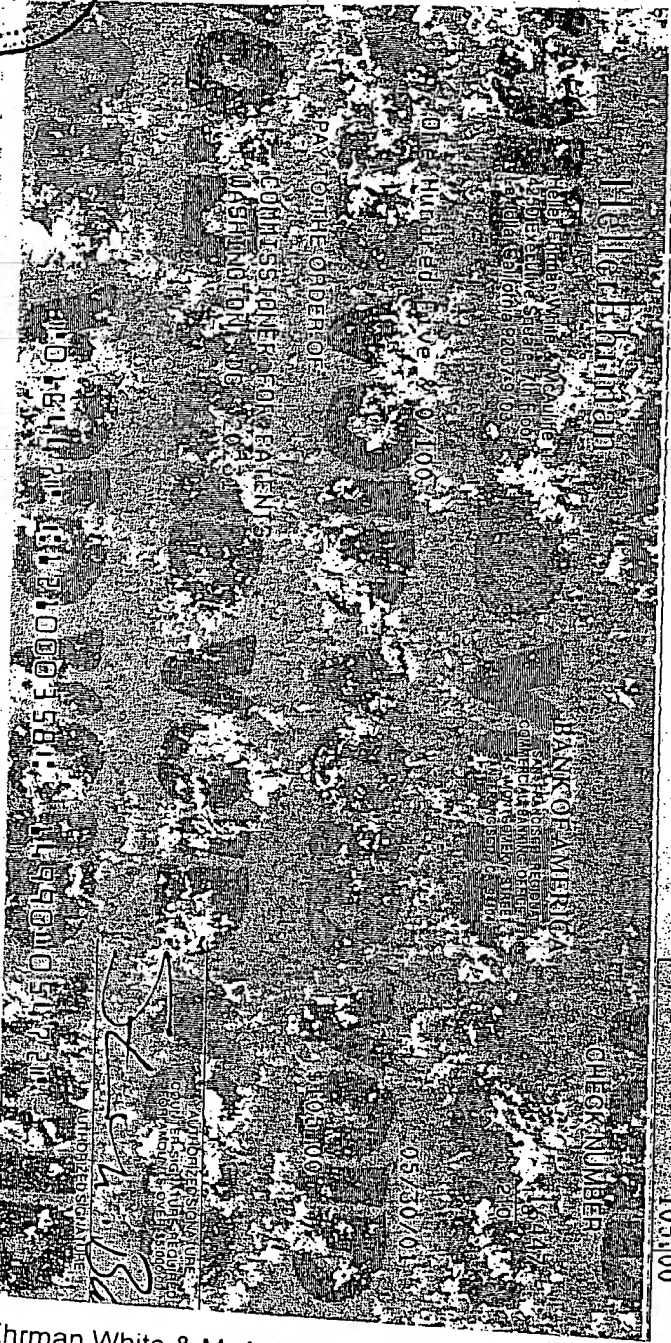
PLEASE STAMP HERE (THANK YOU):

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED HERETO
WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING SENT VIA FIRST CLASS
(PRIORITY) MAIL ON JUNE 1, 2001:

CLIENT #: 24601-416B SLS:lm
ENCLOSURES: TRANSMITTAL LETTER (in duplicate); COPY OF NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION; ONE (1) EXECUTED
DECLARATION FOR PATENT APPLICATION; TWO (2) EXECUTED
ASSIGNMENT FROM THE INVENTORS TO CHROMOS MOLECULAR
SYSTEMS, INC. AND RECORDATION FORM COVER SHEET; A CHECK IN
THE AMOUNT OF \$105.00; and RETURN POSTCARD.
APPLICANT: DE JONG ET AL.
APP. NO.: 09/815,981 FILED: MARCH 22, 2001
FOR: METHODS FOR DELIVERING NUCLEIC ACID MOLECULES INTO CELLS AND
ASSESSMENT THEREOF.

PLEASE STAMP HERE (THANK YOU):





Lynd 24601-416

Heller Ehrman White & McAuliffe LLP		31050		CHECK NUMBER 164	
INVOICE NUMBER	INVOICE DATE	AMOUNT	DISCOUNT	NET AMOUNT	TO
	05/30/01	105.00		105.00	
Lynn 24601-416					

31050

CHECK NUMBER 18447

16447

INVOICE NUMBER	INVOICE DATE	AMOUNT	DISCOUNT	NET AMOUNT	TOTAL
4nn 24601-416	05/30/01	105.00	31050	105.00	16447

PLEASE DETACH BEFORE DEPOSITING

Lynn 24601-416

PLEASE DETACH BEFORE DEPOSITING



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: deJong ~~et al.~~

Appln. No.: 09/815,981

Filed: March 22, 2001

For: METHOD FOR DELIVERING NUCLEIC ACID
MOLECULES INTO CELLS AND
ASSESSMENT THEREOF

Art Unit: Unassigned

Examiner: Unassigned

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papers are being deposited with the United States
Postal Service as first class mail in an envelope
addressed to:

Commissioner for Patents

Box Missing Parts

Washington, D.C. 20231, on this date.

6/1/2001

Date


Lynn Morkunas

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents

Box Missing Parts

Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed May 14, 2001, the
following documents are submitted herewith:

- 1) A copy of the Notice to File Missing Parts;
- 2) One (1) Executed Declaration for Patent Application;
- 3) Two (2) Assignments from the inventors to **CHROMOS MOLECULAR
SYSTEMS, INC.** along with a Recordation Form Cover Sheet;
- 4) A check in the amount of \$105 which includes the \$65 small entity
surcharge, and \$40 assignment recordation fee; and
- 5) Return Postcard.

Since an executed Small Entity Status (37 C.F.R. § 1.9(f)) is claimed the fees
have been reduced to one-half.

U.S.S.N. 09/815,981
DE JONG *et al.*
MISSING PARTS

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By: 

Stephanie Seidman
Registration No. 33,779

Attorney Docket 24601-416B
Address all correspondence to:
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, 6th Floor
San Diego, California 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
E-mail: sseidman@HEWM.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: De Jong *et al.*

Serial No.: 09/815,979

Confirmation No. 7635

Filed: March 22, 2001

For: *METHODS FOR DELIVERING NUCLEIC
ACID MOLECULES INTO CELLS AND
ASSESSMENT THEREOF*

Art Unit: 1653

Examiner: Unassigned

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231, on this date.

08/24/01
Date

Robert Wickman
Robert Wickman

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed May 11, 2001, applicant respectfully submits a verified statement in accordance with 37 C.F.R. 1.821(f) stating that the information contained in the computer readable form of the sequence listing as originally filed with the application is identical to the paper copy of the sequence listing originally filed with the application.

REMARKS

Attached herewith are a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures and the Verified Statement. It is believed that no fee is due; however, if it is determined that a fee is due, any fee in connection with this paper or with this application during its entire pendency may be charged to

U.S.S.N. 09/815,979
de Jong *et al.*
Response to Notice to Comply

Deposit Account No. 50-1213. If a Petition for extension of time is needed, this paper is to be considered such Petition.

* * *

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 24601-416
Address all correspondence to:
Stephanie L. Seidman, Esq.
Heller Ehrman White & McAuliffe LLP
4350 La Jolla Village Drive
San Diego, California 92122-1246
Telephone: (858)450-8403
Facsimile: (858)587-5360
EMAIL sseidman@HEWM.com